

ATTORNEY DOCKET NO: 72280

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : WAGENER et al.
PCT No. : PCT/DE2005/000052
Confirm. No. : N/A
Filed : July 13, 2006
For : TANK FOR OILS...
Art Unit : N/A
Examiner : N/A
Dated : July 13, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Attached please find Form PTO/SB/08a together with the references as stated in the specification.

- DE 100 37 856 A1 as discussed on Page 2 of the specification. No translation is available at this time, however, attached is an English language abstract.

The following references have been cited in the International Phase of the above-identified application.

- DE 40 10 946 A1 discloses a removable sump oil pan for an internal combustion engine. The reference has been cited under Category X as being relevant to International claims 1 - 3 and further cited under Category Y as being relevant to International claim 1. No translation is available at this time, however, attached is an English language abstract.

- DD 123 984 has been cited under Category X as being relevant to International claim

1. No translation is available at this time.

- EP 0 767 104 discloses a container. The reference has been cited under Category X as being relevant to International claim 1.

- WO 93/06365 discloses an expansion tank for the cooling system of an internal combustion engine. The reference has been cited under Category Y as being relevant to International claim 1.

- WO 02/44074 discloses a container for liquids. The reference has been cited under Category Y as being relevant to International claim 1.

Applicant further wishes to bring to the attention of the Examiner the following references.

- DE 102 19 280 discloses an oil tank esp. for motorcycles has internal pipe socket-like structure concentric to filler aperture, dividing tank volume into upper and lower sections, for increased safety. No translation is available at this time, however, attached is an English language abstract.

- DE 39 39 567 discloses an IC engine oil sump with flat bottom. No translation is available at this time, however, attached is an English language abstract.

Consideration of the above references is requested.

Respectfully submitted
for Applicant,



By: _____
John James McGlew
Registration No. 31,903
McGLEW AND TUTTLE, P.C.

JJM:tf

72280-5

Enclosed: PTO/SB/08a Form
copy of International Search Report
copies of (8) References and (4) English Abstracts

DATED: July 13, 2006
SCARBOROUGH STATION
SCARBOROUGH, NEW YORK 10510-0827
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)

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|------------------------|----------------|------------|
| Application Number | | |
| Filing Date | | 2006-07-13 |
| First Named Inventor | WAGENER et al. | |
| Art Unit | N/A | |
| Examiner Name | N/A | |
| Attorney Docket Number | 72280 | |

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| | 1 | DE10037856A1 | DE | | 2002-02-14 | Beer | | <input type="checkbox"/> |
| | 2 | DE4010946A1 | DE | | 1991-10-10 | Volz | 1-3 | <input type="checkbox"/> |
| | 3 | DD123984A5 | DE | | 1977-01-26 | Ostermeier | 1 | <input type="checkbox"/> |

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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | | | |
| | Filing Date | | 2006-07-13 | |
| | First Named Inventor | WAGENER et al. | | |
| | Art Unit | N/A | | |
| | Examiner Name | N/A | | |
| | Attorney Docket Number | 72280 | | |

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|--|---|---------------|----|--|------------|---------------|---|--------------------------|
| | 4 | EP0767104A1 | EP | | 1997-04-09 | Grange et al. | 1 | <input type="checkbox"/> |
| | 5 | WO 93/06365 | SE | | 1993-04-01 | Theorell | 1 | <input type="checkbox"/> |
| | 6 | WO 02/44074A2 | US | | 2002-06-06 | Olson | 1 | <input type="checkbox"/> |
| | 7 | DE10219280A1 | DE | | 2003-11-20 | Beier | | <input type="checkbox"/> |
| | 8 | DE3939567A1 | DE | | 1991-06-06 | Volz | | <input type="checkbox"/> |

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NON-PATENT LITERATURE DOCUMENTS

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| Examiner Signature | | Date Considered | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

| | |
|------------------------|----------------|
| Application Number | |
| Filing Date | 2006-07-13 |
| First Named Inventor | WAGENER et al. |
| Art Unit | N/A |
| Examiner Name | N/A |
| Attorney Docket Number | 72280 |

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

- ☒ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

- ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- ☐ See attached certification statement.
- ☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☒ None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

| | | | |
|------------|---------------------|---------------------|------------|
| Signature | /john james mcglew/ | Date (YYYY-MM-DD) | 2006-07-13 |
| Name/Print | John James McGlew | Registration Number | 31903 |

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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The information provided by you in this form will be subject to the following routine uses:

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.